

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

NEW ENGLAND PATRIOTS FANS) CIVIL ACTION
) Docket No: -CV-
) CIVIL ACTION
Plaintiffs) Docket No.: -CV-
vs,)
)
NATIONAL FOOTBALL LEAGUE,) <u>EXPEDITED MOTION</u>
) FOR LEAVE TO
and) PROCEED IN
) FORMA PAUPERIS
ROGER GOODELL, COMMISSIONER,)
Individually and in his capacity as the)
Commissioner of the NFL)
)
and)
)
ROBERT KRAFT,)
Individually and in his capacity as the owner)
of the New England Patriots)
)
Defendants)

NOW COME the Plaintiffs, New England Patriots Fans and respectfully move this Court on an expedited basis for leave to proceed in forma pauperis in order to appeal the denial of Plaintiffs' Expedited Motion for Temporary Restraining Order and Preliminary Injunction against Defendants to the First Circuit Court of Appeals, and in support of this motion states as follows:

1. The Petitioner asks leave to file the attached Notice of Appeal without prepayment of costs and to proceed here in forma pauperis (IFP).
2. The NFL Draft, the subject of this expedited appeal, takes place on April 28, 2016. Plaintiffs move that they be granted leave to proceed in appeals court without fee, the Plaintiffs are not affluent and have not the disposable income with which to pay the appeals fee.

3. Furthermore, there less than a week before the Thursday April 28th NFL Draft, so the appeals court will not be required to expend much resources or schedule hearings and review a great number of pleadings.
4. Moreover, the subject of appeal is a simple matter; whether the Plaintiffs have standing to secure a TRO and injunction where the Defendants have injured them by taking away their beloved team's first round draft choice, without merit or valid reason.
5. The nature of Appellants' status as altruistic Plaintiffs trying to right a wrong on behalf of the subjugated peoples everywhere should fortify to their motion to proceed IFP.
6. The First Amendment states in relevant part:
"Congress shall make no law ... abridging ... the right of the people ... to petition the Government for a redress of grievances."
7. "The Right to sue and defend in the courts is the alternative of force. In an organized society, it is the right conservative of all other rights and lies at the foundation of orderly government." [emphasis added] Chambers v Baltimore & Ohio R.R., 207 US 142, 148 (1907).
8. If access to the courts is the alternative to force, in a civilized society the right effectively to petition government through its courts to redress one's grievances with it, is the alternative to violent revolution against government. See Declaration of Independence of July 4, 1776, and the Causes of the Revolutionary War: the Colonies had no way to compel the King to redress their grievances with his rule, short of rebellion.

WHEREFORE, Plaintiffs respectfully pray that this Honorable Court grant Plaintiffs' Expedited Motion to Proceed In Forma Pauperis, and hear and decide the Appeal on Denial of TRO and Injunction to the First Circuit on its merits.

Date: April 21, 2016

Respectfully submitted,

/s/ Seth T. Carey
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CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2016, I filed the foregoing Expedited Motion to Appear In Forma Pauperis by with the United States District Court for the District of Massachusetts using the CM/ECF system, and caused it to be served on all registered participants via the notice of electronic filing (the “NEF”).

Seth T. Carey
Seth T. Carey, Esq.